



Docket No. RWBP101US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant: John P. Graham et al.

U.S. Patent No.: 6,929,465

Application No.: 10/067,012

For: TIMER CIRCUIT FOR VALVE ACTIVATION IN OIL BURNER

520520	89100000	SYSTEM	08/17/2005 EFLORES 00000129 10067012
Issue Date:	August 16, 2005	01 FC:1011	300.00 OP
Filing Date:	February 4, 2002	02 FC:1111	500.00 OP
Examiner:	Josiah C. Cocks	03 FC:1311	200.00 OP
		04 FC:1201	200.00 OP
		05 FC:1202	100.00 OP
		06 FC:1252	450.00 OP
Art Unit:	3749		

**REQUEST FOR EXCUSE OF ERROR FOR FAILURE TO NOTIFY OFFICE OF
CHANGE IN ENTITY STATUS, AND SUBMISSION OF DEFICIENCY PAYMENT
UNDER 37 C.F.R. § 1.28(c) AND MPEP § 509.03**

Mail Stop Post Issue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	08/17/2005 EFLORES 00000105 6929465
	01 FC:1201 200.00 OP
	02 FC:1202 100.00 OP

Dear Sir:

This is a request to excuse an error made by applicant in the above application. More particularly, this is a request to excuse an error in failing to timely notify the U.S. Patent and Trademark Office of a change in entity status from a small entity to a large entity. In addition, applicant herein submits the appropriate deficiency payment in accordance with the rules set forth in 37 C.F.R. § 1.28(c) and MPEP § 509.03.

The applicant's assignee, R. W. Beckett Corporation, is majority owned by an individual who also is a majority owner of other companies that employ various individuals. While each individual company has less than 500 employees, in January of 1998, the cumulative employee total of all the companies exceeded 500 employees.

08/17/2005 EFLORES 00000104 6929465

01 FC:1011
02 FC:1111
03 FC:1311

300.00 OP
500.00 OP
200.00 OP

08/17/2005 EFLORES 00000105 6929465

01 FC:1252

450.00 OP

Recently, it has come to our attention that employees of each of the majority owned companies are to be added together for purposes of determining whether an applicant is a large or small entity. Accordingly, the payment of some of the fees in the above application as a small entity since January of 1998 has been in error, however, such error was inadvertent.

Therefore in accordance with 37 C.F.R. §§ 1.28(c)(1) and 1.28(c)(2), below is an itemization of the payment deficiencies in the above application.

Date: February 4, 2002	Payment of Government Filing Fee	
Filing Fee: amount paid--\$370	Large Entity Fee: \$1,000	Deficiency: \$630
Add'l Claims: amount paid--\$60	Large Entity Fee: \$300	Deficiency: \$240

Date: June 2, 2004	Payment of a Two-month Extension Fee	
Ext. Fee: amount paid--\$210	Large Entity Fee: \$450	Deficiency: \$240

Total Deficiency Payment Owed: \$1,110

Enclosed is a check for the deficiency owed of \$1,110.

Should the U.S. Patent and Trademark Office feel that a telephone interview would be helpful to facilitate favorable resolution of the above-identified matter, the Office is invited to contact the undersigned at the telephone number provided below.

U.S. Patent No. 6,929,465
Serial No. 10/067,012
Page 3

Should any fees be due as a result of the filing of this request, the Commissioner
is hereby authorized to charge the Deposit Account Number 50-1733.

Respectfully submitted,
ESCHWEILER & ASSOCIATES, LLC

By Tom Case
Thomas G. Eschweiler
Reg. No. 36,981

National City Bank Building
629 Euclid Avenue, Suite 1210
Cleveland, Ohio 44114
(216) 502-0600

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: August 11, 2005

Christine Gillroy
Christine Gillroy